

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )              Case No. CR-21-151-TDD  
                                )  
BILLY JAMES MENEES and    )  
ASHLEY SCHARDEIN,            )  
                                )  
Defendants.                 )

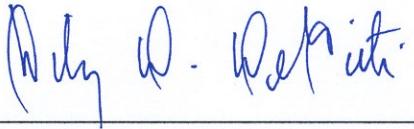
**ORDER**

This case is currently set for trial on the Court's January 10, 2023, jury trial docket.

On January 6, 2023, lead counsel for Defendant Billy Menees tested positive for COVID-19, and is symptomatic. Under the circumstances, a jury trial of this case cannot responsibly begin as currently scheduled on January 10, 2023. The Court held a conference call with counsel for all parties. With no objection from any party, the trial setting is continued to the Court's next jury trial docket on Tuesday, February 14, 2023. Taking into full account the factors to be considered under 18 U.S.C. § 3161(h)(7), the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendants in a speedy trial. Therefore, this period of delay is excludable under the Speedy Trial Act, 18 U.S.C. §§ 3161-74.

**IT IS THEREFORE ORDERED** that this case is **STRICKEN** from the January 10, 2023, trial docket and **RESET** on the February 14, 2023, jury trial docket.

**IT IS SO ORDERED** this 6<sup>th</sup> day of January, 2023.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE